

1 Jason C. Murray (CA Bar No. 169806)  
2 Robert B. McNary (CA Bar No. 253745)  
3 CROWELL & MORING LLP  
4 515 South Flower St., 40th Floor  
5 Los Angeles, CA 90071  
6 Telephone: 213-443-5582  
7 Facsimile: 213-622-2690  
8 Email: jmmurray@crowell.com  
9 rmcnary@crowell.com

6 Jerome A. Murphy (*pro hac vice*)  
7 Astor H.L. Heaven (*pro hac vice*)  
8 CROWELL & MORING LLP  
9 1001 Pennsylvania Avenue, N.W.  
10 Washington, D.C. 20004  
11 Telephone: 202-624-2500  
12 Facsimile: 202-628-5116  
13 Email: jmurphy@crowell.com  
14 aheaven@crowell.com

11 *Counsel For ViewSonic Corporation*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

17 IN RE: CATHODE RAY TUBE (CRT)  
18 ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC  
MDL No. 1917

The Honorable Samuel Conti

19 This Document Relates to:

Individual Case No. 3:14-cv-02510

21 *ViewSonic Corporation v. Chunghwa*  
22 *Picture Tubes, Ltd. et al.*, No. 14-cv-02510

**DECLARATION OF ASTOR H. L.  
HEAVEN IN SUPPORT OF VIEWSONIC  
CORPORATION'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
PURSUANT TO CIVIL LOCAL RULES 79-  
5(d) AND 7-11**

1 I, Astor H.L. Heaven, hereby declare as follows:

2 1. I am an attorney with the law firm of Crowell & Moring LLP, which represents  
3 ViewSonic Corporation (“ViewSonic”) in the above-captioned action currently pending in the  
4 United States District Court for the Northern District of California. I am a member in good  
5 standing of the District of Columbia and Maryland bars, and am admitted to appear in this Court  
6 *pro hac vice* in *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944-SC, MDL  
7 No. 1917 (“MDL 1917”). The matters stated herein are true to my own personal knowledge, and,  
8 if called as a witness, I could and would competently testify thereto.

9 2. I submit this declaration in accordance with Civil Local Rule 79-5 to set forth facts in  
10 support of ViewSonic’s Administrative Motion to File Under Seal Pursuant to Civil Local Rules  
11 79-5(d) and 7-11.

12 3. ViewSonic has disclosed or produced to parties in this action certain documents and  
13 information designated as either “Confidential” or “Highly Confidential” pursuant to the  
14 Stipulated Protective Order entered on June 18, 2008 (Dkt. No. 306) (“Protective Order”).

15 4. Pursuant to Civil Local Rules 79-5 and 7-11, this Court’s General Order No. 62,  
16 Electronic Filing of Documents Under Seal, effective May 10, 2010, and the Protective Order, I  
17 make this declaration on behalf of ViewSonic to provide the Court with a basis to maintain under  
18 seal the highlighted portions of ViewSonic’s Reply in Support of its Motion for Leave to File a  
19 Surreply in Opposition to the Panasonic Defendants’ Motion to Dismiss and to Compel  
20 Arbitration (the “Reply in Support of Motion for Leave”).

21 5. The Reply in Support of Motion for Leave quotes from or describes Attachment A to the  
22 previously filed Declaration of Adam C. Hemlock (Dkt. No. 2768) (“Attachment A”).  
23 Attachment A contains confidential, nonpublic, and highly sensitive business information  
24 pertaining to ViewSonic’s operations, and was sealed pursuant to this Court’s Order Granting the  
25 Panasonic Defendants’ Administrative Motion to File Under Seal, dated September 5, 2014 (Dkt.  
26 No. 2800). I am informed or believe that ViewSonic considers any statements in the Reply in  
27 Support of Motion for Leave summarizing Attachment A to be highly confidential, and that  
28

1 public disclosure of this information would also likely cause harm to ViewSonic with respect to  
2 its vendors, competitors and/or customers. Accordingly, all portions of the Reply in Support of  
3 Motion for Leave that quote from or describe Attachment A should be maintained under seal.

4 6. ViewSonic has narrowly tailored this sealing request to only those references thereto  
5 necessary to protect its proprietary and sensitive business information. Accordingly, for the  
6 reasons stated above, ViewSonic requests that the Court maintain all portions of the Reply in  
7 Support of Motion for Leave that describe Attachment A, under seal.

8 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
9 and correct.

10  
11 Executed this 20th day of October, 2014, in Washington, District of Columbia.

12  
13 /s/ Astor H.L. Heaven  
14 Astor H.L. Heaven  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28